

# United States District Court

DISTRICT OF DELAWARE

UNITED STATES OF AMERICA

V.

PARESH P. PATEL

## CRIMINAL COMPLAINT

CASE NUMBER: 98-62M

(Name and Address of Defendant)

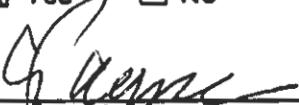
I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about May 22, 1996, in New Castle county, in the District of Delaware defendant(s) did, (Track Statutory Language of Offense)

knowingly enter into a marriage with a U.S. citizen, he being an alien from India, without intending to live with the citizen spouse as man and wife, for the purpose of evading provisions of the U.S. Immigration laws

in violation of Title 8 United States Code, Section(s) 1325(c).

I further state that I am a(n) INS Special Agent  
Official Title and that this complaint is based on the following facts: Affidavit attached

Continued on the attached sheet and made a part hereof:  Yes  No

  
Signature of Complainant  
Alanson E. Payne  
Special Agent, INS

Sworn to before me and subscribed in my presence,

  
Date May 19, 1998

Honorable Mary Pat Trostle  
United States Magistrate Judge

Name & Title of Judicial Officer

at Wilmington, Delaware  
City and State

  
Signature of Judicial Officer

AFFIDAVIT

I, Alanson E. Payne, being duly sworn, depose and state as follows:

1. I am currently employed as a Special Agent with the Immigration and Naturalization Service (INS), Philadelphia, Pennsylvania, and have been so employed for approximately twenty four years.

2. As part of my duties, I have been involved in an investigation of Paresh P. Patel, a native and citizen of India who illegally entered the United States without inspection by an Immigration Officer at or near El Paso, Texas on or about April 1, 1992.

3. On May 22, 1996, Paresh P. Patel married United States citizen Dana Lyn Dudziak in Wilmington, Delaware. On June 26, 1996, Dana Lyn Patel filed a Petition for Alien Relative (INS Form I-130) on behalf of her husband. This petition establishes the relationship of certain alien relatives who may wish to immigrate to the United States.

4. On May 22, 1996, an Application to Register Permanent Residence or Adjust Status (INS Form I-485) was filed concurrently with the above noted Petition with the Philadelphia District Office, Philadelphia, PA. 19130. This application is for a person who is in the United States to apply to adjust to permanent resident status while in the U.S. It was signed and dated on June 10, 1996 by Paresh P. Patel.

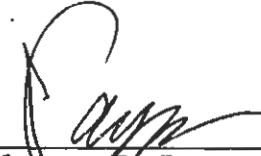
5. On September 20, 1996, Mr. And Mrs. Patel were

interviewed by a Service officer regarding the I-485 application and the supporting petition and were requested to present evidence that they reside together in a bonafide marital relationship. At the completion of the interview, they were requested to submit additional documentation establishing the existance of a valid husband/wife relationship. Paresh Patel subsequently submitted to this Service nine affidavits from family members and friends in an effort to sustain his burden of submitting evidence establishing that his marriage was entered in good faith.

6. On December 1, 1997, Dana Patel executed a sworn affidavit and admitted that Paresh Patel had offered her \$5,000 to participate in this marriage for the sole purpose of obtaining his permanent residence in the United States.

7. Dana Patel further stated that Paresh Patel paid her brother, William Dudziak and her friend, Cara Martin, \$100 and \$50 respectively to sign affidavits attesting to the bonafide nature of the marital relationship.

WHEREFORE, based upon all of these facts, your affiant avers that there is probable cause to believe that Paresh P. Patel is an alien who knowingly entered into a marriage contract for the purpose of evading any provision of the immigration laws and who willfully and knowingly falsified a material fact, makes a statement, or makes use of a false document is in violation of Title 18, United States Code, Section 1325(c) and Title 18, United States Code, Section 1001.



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Alanson E. Payne  
Special Agent, INS